

Introduced by Senator Morrell

February 19, 2016

An act to amend Section 14595.5 of the Public Resources Code, relating to beverage container recycling.

LEGISLATIVE COUNSEL'S DIGEST

SB 1459, as introduced, Morrell. Beverage container recycling: enforcement.

The California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment to the Department of Resources Recycling and Recovery for each beverage container, as defined, sold or transferred. Existing law prohibits any person from paying, claiming, or receiving any refund value, processing payment, handling fee, or administrative fee for imported beverage container material, previously redeemed containers, rejected containers, line breakage, or other ineligible material. Existing law also prohibits any person, with intent to defraud, from redeeming or attempting to redeem those containers or materials, returning previously redeemed containers to the marketplace for redemption, or bringing those containers or materials to the marketplace for redemption, as specified.

This bill would make nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14595.5 of the Public Resources Code
2 is amended to read:

1 14595.5. (a) (1) ~~No~~A person shall *not* pay, claim, or receive
2 any refund value, processing payment, handling fee, or
3 administrative fee for any of the following:

4 (A) Beverage container material that the person knew, or should
5 have known, was imported from out of state.

6 (B) A previously redeemed container, rejected container, line
7 breakage, or other ineligible material.

8 (2) ~~No~~A person shall *not*, with intent to defraud, do any of the
9 following:

10 (A) Redeem or attempt to redeem an out-of-state container,
11 rejected container, line breakage, previously redeemed container,
12 or other ineligible material.

13 (B) Return a previously redeemed container to the marketplace
14 for redemption.

15 (C) Bring an out-of-state container, rejected container, line
16 breakage, or other ineligible material to the marketplace for
17 redemption.

18 (D) Receive, store, transport, distribute, or otherwise facilitate
19 or aid in the redemption of a previously redeemed container,
20 out-of-state container, rejected container, line breakage, or other
21 ineligible material.

22 (b) For purposes of implementing subdivision (a), the
23 department shall take all reasonable steps to exclude beverage
24 container material imported from out of state, previously redeemed
25 containers, rejected containers, and line breakage, when conducting
26 surveys to determine a commingled rate pursuant to Section
27 14549.5.